

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK  
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PHYLLIS A. BERGER and ROBERT BERGER,

Plaintiffs,

Civil Action No.:

~~4:03-cv-00618-~~

5:03-cv-60437

-vs-

WYETH INC., f/k/a AMERICAN HOME PRODUCTS  
CORPORATION and WYETH PHARMACEUTICALS f/k/a  
WYETH-AYERST PHARMACEUTICALS, INC.,

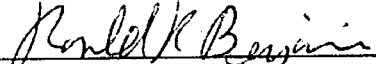
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Defendants.  
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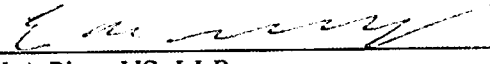
**STIPULATION OF DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, that the above-entitled action shall be, and hereby is dismissed on the merits, without costs to any party as against the other.

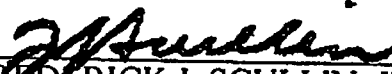
This dismissal is with prejudice, and shall not be interpreted as an admission of liability on the part of the defendants, and further shall not give rise to any suggestions or inferences with respect to the merits of this matter.

DATED: February 25, 2011

  
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LAW OFFICES OF RONALD R. BENJAMIN  
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SO ORDERED

  
\_\_\_\_\_  
FREDERICK J. SCULLIN, JR.  
SENIOR U.S. DISTRICT JUDGE

8/8/11